

AMENDED IN ASSEMBLY SEPTEMBER 9, 2003

AMENDED IN ASSEMBLY AUGUST 27, 2003

AMENDED IN SENATE JULY 16, 2003

AMENDED IN SENATE JULY 9, 2003

**SENATE BILL**

**No. 98**

**Introduced by Senator Alpert**

January 28, 2003

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An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 98, as amended, Alpert. Claims against the state: appropriation.

Existing law requires the Attorney General to report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state.

This bill would appropriate \$8,609,276 from the General Fund, \$9,150,500 from the Motor Vehicle Account in the State Transportation Fund, \$251,000 from the State Highway Account in the State Transportation Fund, and \$1,648,500 from the Motor Vehicle License Fee Account in the Transportation Tax Fund to the Attorney General to pay judgments, settlement, and interest claims in accordance with specified schedules. It would appropriate \$7,926,000 from the ~~General Fund~~ *Motor Vehicle Account in the State Transportation Fund* to the Department of Motor Vehicles to pay a specified settlement claim. It would also reappropriate \$600,000 from an item in the Budget Act of

1999 to the Department of Housing and Community Development to pay a specified settlement claim.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The sum of seven million five hundred thousand  
2 dollars (\$7,500,000) is hereby appropriated from the General  
3 Fund to the Attorney General to pay for the judgment and interest  
4 in the case of Mark Bravo v. State of California, et al. (L.A. County  
5 Superior Court Case No. BC 105876).

6 Any funds appropriated in excess of the amounts actually  
7 required for the payment of this judgment and interest claim shall  
8 revert to the General Fund on June 30 of the fiscal year in which  
9 the final payment is made.

10 SEC. 2. The sum of one million one hundred nine thousand  
11 two hundred seventy-six dollars (\$1,109,276) is hereby  
12 appropriated from the General Fund to the Attorney General to pay  
13 for the judgment in the case of Common Cause, et al. v. Bill Jones  
14 (D.C., C.D. Cal. No. 01-3470 SVW (RZX)).

15 SEC. 3. The sum of seven million dollars (\$7,000,000) is  
16 hereby appropriated from the Motor Vehicle Account in the State  
17 Transportation Fund to the Attorney General to pay for the  
18 settlement in the case of Lugtu v. California Highway Patrol (San  
19 Diego County Superior Court, Case No. N76651 Court of Appeal  
20 No. N040976).

21 SEC. 4. (a) The sum of two million one hundred fifty  
22 thousand five hundred dollars (\$2,150,500) is hereby appropriated  
23 from the Motor Vehicle Account in the State Transportation Fund  
24 to the Attorney General to pay for the settlement and interest costs  
25 in the case of Keep v. State of California, et al. (Los Angeles  
26 County Superior Court, Case No. BC 244537).

27 (b) The sum of two hundred fifty-one thousand dollars  
28 (\$251,000) is hereby appropriated from the State Highway  
29 Account in the State Transportation Fund to the Attorney General  
30 to pay the settlement and interest costs in the case of Keep v. State



1 of California, et al. (Los Angeles County Superior Court, Case No.  
2 BC 244537).

3 (c) The sum of one million six hundred forty-eight thousand  
4 five hundred dollars (\$1,648,500) is hereby appropriated from the  
5 Motor Vehicle License Fee Account in the Transportation Tax  
6 Fund to the Attorney General to pay the settlement and interest  
7 costs in the case of Keep v. State of California, et al. (Los Angeles  
8 County Superior Court, Case No. BC 244537).

9 (d) Any funds appropriated pursuant to this section in excess of  
10 the amounts actually required for the payment of the settlement  
11 and interest claims specified in this section shall revert to the fund  
12 from which it is appropriated on June 30 of the fiscal year in which  
13 the final payment is made.

14 SEC. 5. The sum of seven million nine hundred twenty-six  
15 thousand dollars (\$7,926,000) is hereby appropriated from the  
16 ~~General Fund~~ Motor Vehicle Account in the State Transportation  
17 Fund to the Department of Motor Vehicles for the settlement in the  
18 case of William Dare, et al. v. Department of Motor Vehicles  
19 (United States District Court, Central District, Case No.  
20 CV96-5569 JSL (ANX)).

21 SEC. 6. The sum of six hundred thousand dollars (\$600,000)  
22 is hereby reappropriated from Item 2240-102-0001 of Section  
23 2.00 of the Budget Act of 1999 (Chapter 50 of the Statutes of 1999)  
24 to the Department of Housing and Community Development for  
25 the settlement of Vega, et al. v. Richard Mallory, the California  
26 Department of Housing and Community Development, et al.  
27 (Sacramento County Superior Court, Case No. 97AS06548).

28 SEC. 7. This act is an urgency statute necessary for the  
29 immediate preservation of the public peace, health, or safety  
30 within the meaning of Article IV of the Constitution and shall go  
31 into immediate effect. The facts constituting the necessity are:

32 In order to pay judgments and settlement claims against the state  
33 and end hardship to claimants as quickly as possible, it is necessary  
34 for this act to take effect immediately.

